

Good Morning,

Thank you Mr. Chairman for the change to address the problems of the DRA before the House Judiciary Committee.

Today you have heard of the need to give people a chance to "work things out" as it relates to Drivers Responsibility Fees or if the State only assesses fees for one year people can pay the fees. These positions do not recognize the real problem and therefore offer false solutions. They would have you believe that the Drivers Responsibility Act is still needed. Why? That's easy. It generates revenue. The truth is that's all the DRA does. It does not change driving habits. The notion that bad drivers become good drivers because they have to pay more money fails the test of reality. The Department of State reports that the number citations for major driving violations or should I say driving violations that endangered others, has not decreased.

In fact, in 2004 there were 22,094 assessments for operating while impaired by liquor. In 2008 there were 25,370 of the same citations issued. In 2004 there were 15,156 assessments issued for

operating while intoxicated, an even higher offense than being impaired by liquor. Yet in 2008 there were 19,023 assessments issued. This is true for every serious driving offense category. Bad driving in Michigan has not decreased. I have included this Assessment Data from the Department of State as an attachment to my testimony.

The truth is quite the opposite has happened. The number of citations for driving violations that result not from bad driving but from not having the right documents in place has sky-rocketed. Let us be very real about this. If you were forced to choose between keeping your lights on or paying for DRA fees, which one would you choose? Or what if the choice was between paying a rising car insurance premium (even though you have not had an accident) or paying the mortgage, which would you choose? Given the current financial reality of rising costs and flat wage earnings; more and more citizens find themselves having to make these hard choices. It is not as some have said today, that it is a matter of giving people time or reducing the fees. The reality is people in Michigan need their state to do everything possible

to help put money in their pockets, not to take it away from them. This is what the DRA does! It takes money from those who can least afford the additional expenses of DRA fees. These are the drivers that are actually paying a larger and larger portion of DRA fees. Are they bad drivers? Are their driving practices putting endangering others? NO! Well then, who are they? They are people who do not have the extra money to pay the state DRA assessments or auto insurance company rising premiums. So what happens? The state charges them extra money by charging 2 years of DRA fees. Because they do not have extra money and have not paid fees they have their driver's license suspended or allow their auto insurance to lapse.

This is confirmed by the Department of State data. In 2004 there were 39,465 assessments issued for Driving on Suspended License. In 2008 the number of assessments "leaped" to 56,183. In 2004 there were 2,063 assessments issued for No Proof of Insurance. In 2008 that number jumped to 89,202 assessments issued for No Proof of Insurance. These assessments are not for

driving in a manner that endangers others. This is a matter of personal economics, and the struggles many people have with rising premiums and "making ends meet".

The DRA is making victims of these people and for absolutely the wrong reasons. This is not right and can not continue to be accepted! The DRA is not a law to promote justice and safety on the roads. It's a law that generates money. You have also heard that given the current economic climate, the state cannot afford the loss of revenue generated by the DRA. Let's face the facts. The State of Michigan must now understand the need for a structural change in how it generates revenue. If the industrial and manufacturing revenues to the state have dropped, the State should not shift the loss revenue on to its lowest wage earners. It must focus on attracting and creating new business that can generate revenue. My bill HB 4098 allows the state some time to adjust for the loss of DRA, but ultimately by repealing DRA HB 4098 does the right thing. The vast majority of states do not do this business way. Only 5 of 50 states have such a law. In fact, the

Commonwealth of Virginia repealed its DRA. Did it go bankrupt? No! Even when it refunded the DRA fees, it still was able to conduct its business. If Virginia was able to do it, I know Michigan can do it.

This is the time, as we look at what must be changed in state operations, to also look at how they are to be financed. As we re-structure the state budget, we need to recognize the needs of the people in that state as well as the need of the state. **People must come first!!** The DRA is misguided and flawed. It is creating more unlicensed drivers, not safer roads. It is victimizing the very people who need every resource possible to keep or find jobs. Even service training can require the need to drive. Employers requiring good driving records are not interested in why your license was suspended. But what have we done here in Michigan. We have taken the right and ability to be a licensed driver away from those who need it most. This is not right, DRA is a bad law. Its time to repeal the DRA,

Thank you!!



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Michigan Department of State

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Driver Responsibility Assessment Data

FY04 - FY08

Code	Offense Code Description	Number of First Year Assessments Sent					
		FY04 ^(A)	FY05	FY06	FY07	FY08	
\$1,000 Assessments							
1025	Operating While Intoxicated	15,126	20,982	19,676	17,970	19,023	
1030	Operating While Intoxicated or While Impaired Causing Death	11	46	57	39	54	
1035	OUIL Causing Death of Stationary Emerg. Resp.	-	-	-	-	-	
1040	Operated While Intoxicated or While Impaired By Liquor Causing Serious Injury	49	111	119	111	104	
1120	Operated While Intoxicated or While Impaired By Controlled Substance Causing Death	3	6	10	4	7	
1130	Operated While Intoxicated or While Impaired By Controlled Substance Causing Serious Injury	7	4	11	4	4	
1140	CDL Manu/Distrib Controlled Substance	-	-	-	-	-	
1230	Operated Commercial Motor Vehicle with BAC .04 - .07	8	4	10	6	10	
1400	Manslaughter	5	13	18	14	21	
1405	Causing a Fatality through Neg/Crim OP of CMV	-	-	-	-	-	
1410	Negligent Homicide	18	65	77	63	71	
1420	Murder/Auto used	-	5	15	6	17	
1430	Felony/Auto Used	439	477	419	338	516	
1440	Felony With Auto Used / Misdemeanor	30	85	78	39	55	
1450	Felonious Driving	7	29	25	37	37	
1500	Unlawful Driving Away Auto	530	919	748	738	719	
1600	Failed to Stop or Identify After P.I. Accident Causing Serious Impairment of a Body Function	12	34	42	26	28	
1605	Failed to Stop After Accident Causing Death	2	3	9	2	5	
1610	Failed to Stop After Personal Injury Accident	193	275	219	240	215	
1630	Failed to Stop or Identify After Property Damage Accident	1,683	2,332	2,198	2,069	1,971	
1706	Fleeing and Eluding Officer 1st Degree	5	8	6	4	10	
1707	Fleeing and Eluding Officer 2nd Degree – Causing Serious Injury	26	42	46	60	55	
1708	Fleeing and Eluding Officer 3rd Degree	567	851	866	784	776	
1709	Fleeing and Eluding Officer 4th Degree	417	688	740	602	605	
1801	Failure to Use Due Care/Caution Causing Injury of Construction Wkr	-	-	3	1	-	
1802	Failure to Use Due Care/Death of Construction Wkr	-	-	-	-	-	
1807	Failure to Yield to Stationary Emergency Responder Causing Injury	-	-	-	-	-	
7300	Snowmobile - Felony/Snowmobile Used	3	1	2	1	2	
\$1,000 Assessments Total (Count)		19,141	26,980	25,394	23,160	24,307	

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		FY04 (A)	FY05	FY06	FY07	FY08	
\$500 Assessments							
1105	Operating With Presence of Drugs (OWPD)	350	552	466	482	454	
1150	Child Endangerment	263	366	361	303	344	
1200	Operating While Impaired By Liquor	22,094	28,058	26,777	24,538	25,370	
1210	Operated While Impaired By Controlled Substance	206	349	418	443	442	
1220	Combined OWI and Controlled Substance	13	53	71	31	30	
1240	Person Under 21 With BAC	1,028	1,304	1,188	1,049	999	
1800	Reckless Driving	975	1,599	1,774	1,639	1,743	
3108	No Insurance Under the Insurance Code	-	2,107	2,025	2,415	3,115	
3200	Drove While License Suspended/Revoked/Denied (DWLS)	39,465	53,763	59,231	55,602	56,183	
3230	Drove Commercial Motor Vehicle While Disqualified	2	7	4	-	-	
3235	Drove While License Suspended/Causing Death	4	7	14	8	9	
3245	DWLS Causing Serious Injury	8	14	18	19	17	
\$500 Assessments Total (Count)		64,408	88,179	92,347	86,529	88,706	
\$200 Assessments (Effective May 1, 2004)							
3100	No Proof of Insurance	2,063	122,476	89,266	86,680	89,202	
3106	No Insurance	3,289	13,628	11,611	9,634	9,419	
\$200 Assessments Total (Count)		5,352	136,104	100,877	96,314	98,621	
\$150 Assessments							
3010	Drove While Unlicensed or License Not Valid	8,587	11,572	10,991	9,519	10,242	
3020	Drove w/o Proper License/Endorsement/Vehicle Group Designator	1,042	1,580	681	37	15	
3100	No Proof of Insurance	24,550	32,134	190	51	14	
3106	No Insurance	1,306	489	6	7	3	
3220	Drove While License Expired	6,540	7,920	7,443	6,814	7,626	
\$150 Assessments Total (Count)		42,025	53,695	19,311	16,428	17,900	

^(A) Start up - Partial year assessments

Resolutions Committee Report **2009 Democratic State Convention**

The Resolutions committee recommends the following resolutions for adoption by the Convention:

Resolution Regarding Repeal of Driver Responsibility Law

WHEREAS, the Democratic party has always advocated on behalf of vulnerable populations such as lower income citizens and current economic recession has only exacerbated the challenges facing lower income citizens; and

WHEREAS, Michigan's Driver Responsibility law adds an additional financial burden on all drivers assessed with a moving violation and unable to pay fines promptly, and

WHEREAS, it is the working poor and lower income citizens (many of whom are seniors) who are disproportionately affected by these extra fees; and

WHEREAS, these extra fees have adversely affected tens of thousands of Michigan citizens; and

WHEREAS, citizens who do not pay the extra Drivers Responsibility fee are faced with losing their driver's license, preventing them from legally driving to work or elsewhere; and

WHEREAS, Michigan State Representative Bettie Cook Scott (D - 13 District) has been a champion of efforts to repeal this onerous provision while still requiring drivers to pay all of the normal fees.

NOW, THEREFORE BE IT RESOLVED that the Michigan Democratic Party condemns the Michigan Driver Responsibility Law and its double penalty on lower income citizens; and

BE IT FINALLY RESOLVED that the Michigan Democratic Party urges the Michigan Legislature to pass and Governor Granholm to sign legislation to repeal the driver responsibility fee as soon as possible.